Bench of Allahabad High Court

8254. SHRI SATYA PRAKASH MALVIYA: Will the PRIME MINISTER be pleased to state:

(a) what is the reaction of the Government of Uttar Pradesh to the recommendation of Jaswant Singh Commission about establishment of another Bench of Allahabad High Court;

(b) whether the Uttar Pradesh Government concurred with the recommendation of the said Commission about establishment of another Bench; and

(c) if so, when and what is the reaction of the present Government of Uttar Pradesh thereto?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) to (c) The present Chief Minister of Uttar Pradesh has proposed that recommendations of the Jaswant Singh Commission for setting up Benches of Allahabad High Court in Western Uttar Pradesh may be implemented. However in the same proposal he has informed that the Chief Justice of Allahabad High Court is not agreeable to set up a Bench in that region for the present for the reason that the situation in Western Uttar Pradesh is not conducive.

Procedure in cases of assaults on Women

8255. SHRIMATI VEENA VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether Women Organisations especially NGOs, have lately urged Government to evolve a new procedure for examination of minors who are victims of rapes and sexual assaults; and

(b) if so, what steps have been taken and are being taken to evolve a procedure helpful to the psyche of the minor victims of rapes and sexual assaults?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R BHARDWAJ): (a) and (b) Government have not received any representation from any women's organisation in this regard. However, a seminar on "Child Rape" was organised by the National Commission for Women in New Delhi on the 7th and 8th October, 1992 which was attended by various experts who made several recommendations. The recommendations were primarily concerned with the substantive and procedural laws relating to child rape, the medico-legal aspects, the mental health needs of the child victims and the action needed to rehabilitate the victims and make them acceptable to the society. An expert committee on laws constituted by the National Commission for Women suggested a Bill further to amend the Indian Penal Code, Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872 with a view to make these legislations more effective. The Bill is receiving attention of the Government.

Complaints against Judges/Judicial Officers

8256. SHRI N. GIRI PRASAD: Will the PRIME MINISTER be pleased to state:

(a) whether Government/High Court of Delhi have received a number of complaints that some Judicial Officers are acting in arbitrary manner(s) and are abusing the judicial discretion in the cases/matters relating to the poor citizens and they are totally unfit for the High Office; if so, the number thereof;

(b) whether the said Judicial Officers who failed to discharge their judicial duties can be punished by the Hon'ble Lt. Governor;

(c) whether any action has been taken in matter; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) to (d) The information is being collected from the Government of NCT, Delhi and the Delhi High Court and will be laid on the table of the House as soon as it becomes available.

Disposal of litigations within reasonable time

8257. SHRI S. S. AHLUWALIA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that a huge number of litigants are to wait eternally for justice as Courts are unable to dispose of their litigation within a reasonable time;

(b) whether Government have reviewed the situation with a view inter-alia to ascertain the time taken on average by the High Courts and the Supreme Court to dispose of a civil suit and a criminal suit.

(c) details of the outcome to such review;

(d) details of hinderances found to be coming on the way of disposal of litigations within a reasonable time; and

(e) steps taken and/or are contemplated towards removal of such hinderances and timeframe projected therefor?

THE MNISTER OF STATE IN THE MNISTRY OF LAW, JUSTICE AND COMPANY AFFARS (SHRI H. R. BHARDWAJ): (a- to (e) The Government is aware of the pendency of cases in Courts which is due to various complex factors. Some of them, identified by the Malimath Committee, are population explosion, litigation explosion, inadequacy of judge strength, delays in filling up vacancies, lack of infrastructural facilities, long arguments and prolix judgments, lawyers strike and indiscriminate resort to Writ jurisdiction, etc. No study have been carried out to ascertain the average time taken by the High Courts and the Supreme Court to dispose off a civil suit or a criminal case as the disposal of a case depends upon various factors.

The Government is making all possible efforts to ensure that vacancies of Judges in the Supreme Court and the High Courts are filled up as expeditiously as possible. In order to consider the problem of arrears of cases in Court and find out ways and means to deal with it as expeditiously as possible, a meeting of the Chief Ministers and Chief Justices was held on 4th December, 1993 under the Chairmanship of the Prime Minister. The Conference recommended several steps in a resolution it adopted for speedy disposal of cases in Courts/Tribunals, which have been accepted by the Government and commended to all the State Govrnments/UT Administrations and High Courts/Tribunals for necessary follow up action. Three Working Groups of Law Ministers, thereafter met to consider the recommendations contained in the above Resolution with regard to rural litigation, arrears of cases in administrative tribunals and alternative dispute resolution. The implementation of December, 1993 resolution and recommendations made by the Working Groups were reviewed by the Law Ministers at their plenary meting held in Calcutta in November, 1994. The resolutions adopted in the meeting have been commended to all the concrnd authorities for necessary follow-up action.

The Administration of Justice has been made a Plan item with a view to remove infranstructural bottlenecks coming in in the way of expeditious disposal of caess.

Institutional mechanism for non-conventional energy projects

8258. SHRI SANJAY DALMIA: Will the PRIME MINISTER be pleased to state:

(a) the States which have created suitable institutional mechanism for non-conventional energy projects, particularly for power generation;

(b) whether any directives have been issued by the Union Government in this regard; and

(c) if so, the details thereof?